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EXAMINER

PATEL, DHAIRYA A

ART UNIT

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2151

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/730,227	Applicant(s) GOODMAN ET AL.	
	Examiner Dhairya A. Patel	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 30-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/5/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication filed on 6/5/2008.
2. This amendment has been considered and entered. Claims 1-10, 30-33 are subject to examination. Claims 11-29 are cancelled.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 6/5/2008 was filed after the mailing date of the non-final rejection on 1/7/2008. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,4,10,31,33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appelman et al. U.S. Patent # 6,539,421 (hereinafter Appelman) in view of Robertson et al. U.S. Patent # 6,209,100 (hereinafter Robertson)

As per claim 1, Appelman teaches a method for electronic instant message conversation, the method comprising the steps of:

-receiving at a second unidentified client, a first message to be published from a first client, the first message including a question related to a topic of

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interest (Fig. 3 element 134)(column 2 lines 1-6), the first client having a first network address (column 5 lines 32-42), the first message being directed through a pub/sub service, the second client being a subscriber to the service of the pub/sub service (column 9 lines 43-67)(Fig. 16-19) as being willing to receive questions related to the topic of interest (column 2 lines 20-30).

NOTE: The reference teaches second user receiving a first message from the first user, through the AIM service (pub/sub service) and receiving the message body and the address of the first client. The second client (i.e. mjohnson1934 and/or mroe1934) being subscriber to the AIM service (pub/sub service). The first message in this case is from ("PhillipsJC: Hey did you see the game last night") (Fig. 3 element 134). In column 2 lines 20-31, Appelman teaches indicate a willingness to answer question related to the topic of interest. Appelman shows that PhillipsJC's buddies are currently signed on thus available to receive instant messages (column 2 lines 20-31). The fact that other users/subscribers are signed on, it is obvious that they are available to receive message and therefore answer questions related to their interest.

-creating at the second client, a second message, the second message comprising the first message and the first network address (column 9 lines 43-67) (Fig. 16-19) said first message in said second message providing context to said second message (column 9 lines 43-67) (Fig. 16-19) and including an answer to the question contained in said message (Fig. 3 element 135) (column 2 lines 1-11);

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NOTE: The reference teaches second user responding, and sending a second message “Hi John” comprising the first message which is “hello Mary” and the first address of “mroe1934” (first network address). The reference teaches first message (Fig. 15 element 604) in second message (Fig. 16 element 614) providing context “hello Mary” in the second message (Fig. 16 element 614). In Fig. 3 element 135 and column 2 lines 1-9, Appelman teaches creating at the second message including an answer to the question contained in said first message. In this case, Frsanfu responds to PhillipsJC question with a response “Unfortunately no, I had to take my dog to the Vet” which means the second message including an answer to the question (“PhillipsJC: Hey did you see the game last night”).

-transmitting the second message by way of an instant message application from the second client to the first client (Fig. 16-19) (column 9 lines 30-66);

NOTE: The figures show that second message “Hi john” is sent by instant message application from the second client to the first client.

-retrieving additional information related to the second client (Fig. 9) (column 6 lines 1-7) (column 5 lines 46-65); and

NOTE: The figure 9 shows the entries of the second client “mroe1934” and shows the online status fields (additional information related to the second client).

-presenting the second message and the additional information at the first client (Fig. 16-19) (column 9 lines 43-67) (Fig. 9),

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NOTE: The figures presenting the second message “Hi John” with online status field such as time stamp (additional information) at the client in (Fig. 16-19) “13:20:27 mroe 1934” at the client window. The figure teaches sending the message “mroe1934” but the first does not know if mroe1934 received the message.

Appelman fails to teach second client being anonymous to the first client and other subscribers of the pub/sub service and being unaddressed by the first client and anonymous subscribers known only to said pub/sub service and second client remaining anonymous to the first client and other subscribers after said transmission of said second messages to the first client and second message including an answer to the question contained in said first message.

Robertson also teaches first message including a question (i.e. I think the White Album is brilliant! ")related to the topic of interest (i.e. newsgroup) (column 1 lines 49-57) the second client being a subscriber to the pub/sub service (column 2 lines 47-55) and being anonymous to the first client and other subscribers of the pub/sub service and being unaddressed by the first client and anonymous subscribers (i.e. user or authors) known only to said pub/sub service (i.e. forums) (column 2 lines 47-55) and second client remaining anonymous to the first client and other subscribers after said transmission of said second messages to the first client (column 2 lines 61-67)(column 3 lines 1-9)(Fig. 2)(Fig. 3). Robertson also teaches second client being a subscriber to the service of the pub/sub service as being willing to receive question related to the topic of interest (column 1 lines 49-67) and second message including an answer to the question

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contained in said first message (column 1 lines 49-57). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman's teaching to come up with having subscribers being anonymous' and second client remaining anonymous to the first client and other subscribers after said transmission of messages. The motivation for doing so would be because the user/subscriber wants to remain anonymous to hide his/her identity therefore any post/messages the user/subscriber sends to the forum, the system would know the user's actual identity, therefore the user can be traced if needed.

As per claim 4, Appelman and Robertson teaches the method according to claim 1, but Appelman further teaches wherein the additional information comprises any one of a first user name, first user title, first user telephone number, first user job responsibility, first user secretary (Fig. 16)(column 25-42); and

NOTE: The reference teaches first user name which "John" or "mroe1934" (first user name).

As per claim 10, Appelman teaches a method for electronic instant message conversation, the method comprising the steps of:

-creating at a first client (Fig. 15 element 600), a first message (Fig. 15 element "Hello Mary") to be published including a question related to a topic of interest (Fig. 3 element 134)(column 2 lines 1-6), the first message comprising any one of additional information or a link to additional information, the additional information comprising any one of a user title, a user telephone number, a user

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value, a user job responsibility or information about a user's secretary (Fig. 15-16)(column 9 lines 25-42);

NOTE: The reference teaches creating a message the first client a first message "Hello Mary", the first message comprising the a user value (Fig. 15 element 634 "mroe1934") or a time stamp at what time the message was sent.

-transmitting the first message by way of an instant message application from the first client to a second client (column 9 lines 25-42) (Fig. 15-16) who has registered with the pub/sub service as being willing to answer questions related to said topic of interest, the second client being unaddressed by the first client (Fig. 14) (Fig. 15) (column 9 lines 18-29),

NOTE: The reference teaches transmitting the first message by instant message application from first client to the second client.

-retrieving at the second client, the additional information (Fig. 16) (column 25-42) and said question (Fig. 3 element 134); and

NOTE: The reference teaches at the second client (Fig. 16) receiving (Fig. 16 element "more1934" or "13:20:05" time stamp) (additional information) at the second client.

-presenting the first message and the additional information and said question (Fig. 3 element 134) at the second client (Fig. 16) (column 25-42) (column 2 lines 1-9);

NOTE: The figure 16 teaches presenting the first message "Hello Mary" and the additional information (13:20:05 or mroe1934), which is a time stamp and a user value.

-second message including an answer to the question including in said first message (Fig. 3 element 135) (column 2 lines 1-10).

Appelman fails to teach second client being known only to said pub/sub service and being anonymous to said first client and to other subscribers of said pub/sub service; and transmitting a second message from the second client to the first client said second client remaining anonymous to the first client and other subscribers of said pub/sub service after said second message is transmitted to said first client.

Robertson teaches second client being known only to said pub/sub service and being anonymous to said first client and to other subscribers of said pub/sub service; and transmitting a second message from the second client to the first client said second client remaining anonymous to the first client and other subscribers of said pub/sub service after said second message is transmitted to said first client (column 2 lines 45-67)(column 3 lines 1-9)(Fig. 2)(Fig. 3) second message including an answer ("I agree with you!") to the question ("I think the white album is brilliant") including in said first message (column 1 lines 47-59). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman's teaching to come up with having second client being known only to said pub/sub service and being anonymous to said first client and to other subscribers of said pub/sub service. The motivation for doing so would be because the user/subscriber wants to remain anonymous to hide his/her identity therefore any post/messages the user/subscriber sends to the forum, the

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system would know the user's actual identity, therefore the user can be traced if needed and also to send or propose a help question to people in the channel and having other people in the channel responds with the answer from the channel.

As per claim 31, Appelman and Robertson teaches the method according to claim 4, but Appelman further teaches wherein the additional information further consists of any one of a first user address, a first user value, a text file, a video file, an audio file or a network link (such as a URL). (Fig. 15-16)(column 9 lines 25-42);

The reference teaches the additional information a user value or a first user address (Fig. 15 element 634 "mroe1934") or a time stamp at what time the message was sent.

As per claim 33, Appelman and Robertson teaches the method according to claim 10, but Appelman further teaches wherein the additional information further consists of any one of a first user address, a first user value, a text file, a video file, an audio file or a network link such as a URL, a telephone message or command information for actuating a mechanical a device. (Fig. 15-16)(column 9 lines 25-42);

The reference teaches the additional information a user value or a first user address (Fig. 15 element 634 "mroe1934") or a time stamp at what time the message was sent.

Claims 2-3,5-9,30,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Appelman et al. U.S. Patent # 6,539,421 (hereinafter Appelman) in view of Robertson et al. U.S. Patent # 6,209,100 (hereinafter

Robertson) further in view of Kapil et al. U.S. Patent # 6,941,345 (hereinafter Kapil)

As per claim 2, Appelman and Robertson teaches the method according to claim 1, but Appelman further teaches the first message is received at the second client from the first client (column 2 lines 1-9) but are silent on teaching a publish/subscribe server. Kapil teaches the first message is received at the second client from the first client by way of a publish/subscribe server (column 4 lines 16-28).

. The reference teaches receiving a request message from the user A (receiving first message from the first user) and the request message is sent to the service provider in the community (pub/sub channel of a pub/sub service), the community comprising plurality of users (Fig. 5) belonging to the community, and the community comprising user B (second users) and presenting the message at user B's terminal (second client) (column 4 lines 16-49). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Kapil's teaching in Appelman and Robertson's teaching to come up with receiving message from the first client at the second client by the way of publish/subscribe server. The motivation for doing so would have been so that the second user has an option to accept a message or to check if the second user is online or the second user exists because the message is sent to the service provider in the second community (Publish/subscribe server) which checks if the second user exists and if he does exists passes the message to him.

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As per claim 3, Appelman and Robertson teaches the method according to claim 1, Appelman further teaches the first message is received at the second client from the first client (column 2 lines 1-9) but are silent on teaching a publish/subscribe server. Kapil teaches subscribing by any one of the first client or the second client, to a channel of a publish/subscribe server (column 4 lines 16-49) (Fig. 1 element "community A" or "community B"). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Kapil's teaching in Appelman and Robertson's teaching to come up with having first client or second client subscribe to a channel of publish/subscribe server. The motivation for doing so would have been so that first user or second user can communicate to other user belonging to the same community (publish/subscribe server) or even other community.

Appelman and Kapil fails to teach subscribing being authenticated and authorized by said publish/subscribe server anonymous to other of said second or first clients. Robertson teaches subscribing being authorized and authenticated by the publish/subscribe channel anonymous to other of said second for first clients (column 2 lines 13-20, lines 45-67) (column 3 lines 1-13). It would have been obvious to one ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman and Kapil's teaching to come up with subscribing being authenticated and authorized by server unknown to other first or second clients. The motivation for doing so would so that none of the unauthorized user can subscribe to the channel because if one of the user proposes/sends a help question to the

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particular channel related to a particular area, the user who is not authorized to be in the channel will be prevented from responding or seeing to the help question.

As per claim 5, Appelman and Robertson teaches the method according to claim 1 but fails to teach wherein any one of the first message or the second message is translated to any one of a telephone message, a video display, an audio message or a mechanical actuator. Kapil teaches any one of the first message or the second message is translated to any one of a telephone message, a video display, an audio message or a mechanical actuator (Column 5 lines 52-64)(column 6 lines 12-20). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Kapil's teaching in Appelman and Robertson's teaches to come up with having first message or second message translated into any one of telephone message, a video display an audio message. The motivation for doing so would have been so that if the user does not have access to a computer to receive the first message or second message, he/she can still receive by a telephone message or audio message.

As per claim 6, Appelman teaches a method for identifying a message initiator in a system for instant message, the method comprising the steps of:

- obtaining at a first client, first user identifying information (column 5 lines 46-65) (column 6 lines 1-6) (Fig. 9);

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The figure teaches obtaining at the first client, the buddy list and the information about the first user identifying information “mroe1934” and his online status field.

-incorporating the first user identifying information in a message to be published (Fig. 16-19) (column 9 lines 43-67) (Fig. 9) said message including a question related to the topic of interest (Fig. 3 element 134) (column 2 lines 1-6).

The figures presenting “mroe1934” and his online status field such as time stamp (first user identifying information) in the message at the first client in (Fig. 16-19) “13:20:05 mroe1934” to be published.

-transmitting the message; publishing the message to subscribers (column 9 lines 25-42) (Fig. 15-16) as being willing to answer questions related to said topic of interest; providing the message comprising the first user information and said question related to the topic of interest to a second user subscriber (column 9 lines 43-67)(Fig. 16-19); transmitting a second message responsive to said published message and including an answer to the question in said first message from a second user directly to the first user (Fig. 16-19) (column 9 lines 30-66);

The figures show that second message “Hi john” is sent by instant message application from the second client to the first client.

Appelman fails to teach a pub/sub server, i.e. transmitting the message to a pub/sub server; publishing the message to subscribers of the pub/sub server said subscribers being anonymous to said first user and other subscribers and being authenticated and authorized by said pub/sub server; and providing the message comprising the first user information to a subscriber who remains

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anonymous to said first user and said anonymous subscribers being known only to pub/sub server; and said second user subscriber remaining anonymous to said first user and other subscribers after the second message is transmitted to said first user.

Kapil teaches transmitting the message to a pub/sub server (column 4 lines 16-28), publishing the message to subscribers of the pub/sub server (column 4 lines 16-28), providing the message comprising the first user information to a second user subscriber (column 9 lines 20-35)(column 12 lines 35-51)(column 10 lines 19-36, lines 39-48) and transmitting a second message responsive to said published message from a second user directly to the first user (column 10 lines 32-49). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Kapil's teaching in Appelman's teaching to come up with having transmitting, publishing the message to a pub/sub server and providing the message comprising user information to a subscriber. The motivation for doing so would have been so that the second user has an option to accept a message or to check if the second user is online or the second user exists because the message is sent to the service provider in the second community (Publish/subscribe server) which broadcasts the message and checks if the second user exists and if he does exists passes the message to him.

Appelman and Kapil fails to teach subscribers being authenticated and authorized by said pub/sub server and subscribers being anonymous to said first user and other subscribers said second user subscriber remaining anonymous to

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said first user and other subscribers after the second message is transmitted to said first user.

Robertson subscribers being authenticated and authorized by said pub/sub server and subscribers being anonymous to said first user and other subscribers (column 2 lines 13-20, lines 45-67)(column 3 lines 1-13) said anonymous subscribers being only to pub/sub server (column 2 lines 47-55); and second user subscriber remaining anonymous to said first user and other subscribers after the second message is transmitted to said first user (column 2 lines 61-67)(column 3 lines 1-9)(Fig. 2)(Fig. 3). Robertson also teaches publishing message to subscribers as being willing to answer questions related to the said topic of interest (i.e. newsgroups), and providing message comprising said questions related to topic of interest (i.e. "I think the White Album is brilliant") (column 1 lines 47-59), and transmitting a second message responsive to said published message and including an answer (i.e. "I agree with you" and "Me too") to the question in said first message (column 1 lines 47-59) It would have been obvious to one ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman and Kapil's teaching to come up with subscribing being authenticated and authorized by server unknown to other first or second clients and subscribers being anonymous to pub/sub server and second client remaining anonymous to the first client. The motivation for doing so would be so that none of the unauthorized user can subscribe to the channel because if one of the user proposes/sends a help question to the particular channel related to a particular area, the user who is not authorized to

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be in the channel will be prevented from responding or seeing to the help question and the user/subscriber wants to remain anonymous to hide his/her identity therefore any post/messages the user/subscriber sends to the forum, the system would know the user's actual identity, therefore the user can be traced if needed.

As per claim 7, Appelman, Robertson and Kapil teaches the method according to claim 6 but Appelman further teaches wherein the providing step comprises the further steps of: acquiring second user information based on the first user identifying information in the message (Fig. 9)(column 6 lines 1-7)(column 5 lines 46-65); and

The figure 9 shows the entries of the second client "mroe1934" and shows the online status fields (additional information related to the second client).

-providing the second user information to the subscriber (Fig. 16-19) (column 9 lines 43-67) (Fig. 9).

As per claim 8, Appelman, Robertson and Kapil teaches the method according to claim 6 but Kapil further teaches wherein the obtaining step comprises the further step of: transforming user information from any one of instant message, text, audio, video or voice into the digital message (column 5 lines 52-65).

As per claim 9, Appelman, Robertson and Kapil teaches the method according to claim 6 but Appelman further teaches wherein the presenting step comprises the further step of: transforming the message to any one of instant message, text, audio or video (Fig. 16-19)

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The reference teaches the transforming the message into instant message.

As per claim 30, Appelman and Robertson teaches the method according to claim 1, but fails to teach comprising the further steps of: associating the second client with a channel of a publish/subscribe server; the first client sending the first message to the channel of the publish/subscribe server; determining network addresses of a plurality of subscribers associated with the channel, the plurality of subscribers associated with the channel comprising the second client; and the publish/subscribe server publishing the first message to the determined plurality of subscribers.

Kapil teaches associating the second client with a channel of a publish/subscribe server (column 12 lines 9-32);

-the first client sending the first message to the channel of the publish/subscribe server (column 4 lines 16-49);

-determining network addresses of a plurality of subscribers associated with the channel, the plurality of subscribers associated with the channel comprising the second client (column 12 lines 33-51); and

-the publish/subscribe server publishing the first message to the determined plurality of subscribers (column 4 lines 16-49) (column 12 lines 9-51).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Kapil's teaching in Appelman's teaching to come up with associating second client with the pub/sub server and first client send the message, and pub/sub server publishing the message to the

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subscribers. The motivation for doing so would have been so that first user can check through the service provider in the community (pub/sub server) that the a user exists and send a message, and if the user can have a conversation with the first user.

Appelman and Kapil fails to teach second client being authenticated and authorized by said publish/subscribe server. Robertson teaches second client being authorized and authenticated by the publish/subscribe channel (column 2 lines 13-20, lines 45-67) (column 3 lines 1-13). It would have been obvious to one ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman and Kapil's teaching to come up with second client being authenticated and authorized by server. The motivation for doing so would be so that none of the unauthorized user can subscribe to the forum because if one of the user proposes/sends a help question to the particular channel related to a particular area, the user who is not authorized to be in the forum will be prevented from responding or seeing to the help question.

As per claim 32, Appelman and Kapil and Robertson teach the method according to claim 6, but Kapil further teaches wherein the transmitting step comprises the further steps of:

- the first client associating the first message to be transmitted with a channel of the pub/sub server (column 12 lines 9-32);

- the pub/sub server determining network addresses of a plurality of subscribers associated with the channel, the plurality of subscribers associated with the channel comprising the second client (column 12 lines 33-51); and

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-the pub/sub server receiving the first message from the first client (column 4 lines 16-49);

wherein the publishing step comprises the further step of publishing the first message to the plurality of subscribers associated with the channel of the pub/sub server (column 4 lines 16-49) (column 12 lines 9-51).

Response to arguments

Applicant's arguments filed 6/5/2008 have been fully considered but they are not persuasive.

As per remarks, Applicant stated the following:

A). Applicant states Appelman and Robertson "indicate a willingness to answer questions related to the topic of interest" and "creating at the second message...including an answer to the question contained in said first message".

As per remark A, Examiner respectfully disagrees with the applicant because in Fig. 3 element 134,135 and column 2 lines 1-11, Appelman teaches first message including a question related to a topic of interest (column 2 lines 1-6). The first message in this case is from ("PhillipsJC: Hey did you see the game last night") (Fig. 3 element 134). This is the first message which includes the question in this and the topic of interest is sports. Furthermore, even applicant's in the remarks admit that Appelman teaches questions and answers, but Appelman fails to teach second client being anonymous to the first client and other subscribers.

In column 2 lines 20-31, Appelman teaches indicate a willingness to answer question related to the topic of interest. Appelman shows that

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PhillipsJC's buddies are currently signed on thus available to receive instant messages (column 2 lines 20-31). Also in Fig 3. element 135, Frsanfu responds to PhillipsJC question with a response which means that subscribers indicate a willingness to answer question related to the topic of interest. The fact that other users/subscribers are signed on means that they are available to receive message and therefore answer questions related to their interest.

In Fig. 3 element 135 and column 2 lines 1-9, Appelman teaches creating at the second message including an answer to the question contained in said first message. In this case, Frsanfu responds to PhillipsJC question with a response "Unfortunately no, I had to take my dog to the Vet" which means the second message including an answer to the question ("PhillipsJC: Hey did you see the game last night").

B). Applicant states Appelman fails to teach Appelman fails to teach second client being anonymous to the first client and other subscribers and that answerer is always known to the questioner.

Robertson also teaches the second client being a subscriber to the pub/sub service (column 2 lines 47-55) and being anonymous to the first client and other subscribers of the pub/sub service and being unaddressed by the first client and anonymous subscribers (i.e. user or authors) known only to said pub/sub service (i.e. forums) (column 2 lines 47-55) and second client remaining anonymous to the first client and other subscribers after said transmission of said second messages to the first client (column 2 lines 61-67)(column 3 lines 1-9)(Fig. 2)(Fig. 3). Robertson further teaches contributor which is the second client

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actual user name would be known to the system because the contributor had to authenticate his or her identity prior to accessing the forum or discussion. The contributor can choose to be listed as anonymous in the message. This means the contributor is anonymous to the other subscribers in the forum (pub/sub service). The contributor is anonymous to the other contributor/subscribers after the message is published (Fig. 3 element 44, 42).

In addition, Robertson also teaches first message including a question (i.e. I think the White Album is brilliant!) related to the topic of interest (i.e. newsgroup) (column 1 lines 49-57)

Robertson also teaches second client being a subscriber to the service of the pub/sub service as being willing to receive question related to the topic of interest (column 1 lines 49-67). **NOTE:** Examiner would also like to point out that since the users/ participants subscribe in the newsgroup it is obvious they identify themselves to being willing to receive question, because the participants also post response to the previous comment/questions as well, which means they are willing to receive question about a topic.

Robertson further teaches second message including an answer to the question contained in said first message (column 1 lines 49-57). **NOTE:** Furthermore, Robertson teaches a second message which is "I agree with you" (second message i.e. response message) and the second message is answer to the first question which in this is case is "I think the white album is brilliant". Examiner would also like to point out that it would be obvious that the first message is question since the response message answers the first message in

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this it is "I agree with you" in response to the comment/question "I think the White Album is brilliant"). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Robertson's teaching in Appelman's teaching to come up with having subscribers being anonymous' and second client remaining anonymous to the first client and other subscribers after said transmission of messages. The motivation for doing so would be because the user/subscriber wants to remain anonymous to hide his/her identity therefore any post/messages the user/subscriber sends to the forum, the system would know the user's actual identity, therefore the user can be traced if needed.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Voice Instant messaging" by Wu et al. U.S. Patent Publication # 2002/0023131 A1.

B) "Video Messaging" by Enete et al. U.S. Patent Publication # 2003/0208543 A1.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DAP

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/John Follansbee/

Supervisory Patent Examiner, Art Unit 2151